

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

JAIME MELENDEZ TORRES,

Plaintiff,

v.

CIV. No. 15-0541 LH/KBM

JUAN ALTAMIRANO d/b/a  
CROSS COUNTRY AUTO and  
CNA SURETY d/b/a WESTERN SURETY CO.,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED  
FINDINGS AND RECOMMENDED DISPOSITION**

The Magistrate Judge filed her Proposed Findings and Recommended Disposition (*Doc. 32*), recommending that default judgment be entered against Defendant Juan Altamirano d/b/a Cross Country Auto (“Defendant Altamirano”) pursuant to Federal Rules of Civil Procedure 16(f)(1)(A), 16(f)(1)(C), and 37 (b)(2)(A)(vi) and the Court’s inherent authority. The PF&RD notified Defendant Altamirano of his ability to file objections within fourteen (14) days and that failure to do so waives appellate review. *Doc. 32* at 6. To date, neither Defendant Altamirano nor any other party objected to the PF&RD, and the time for doing so has passed. There is nothing in the record to indicate that Defendant Altamirano did not receive the PF&RD; indeed, the Notice of Electronic Filing indicates that it was mailed to him at his address of record on March 25, 2016.

Wherefore,

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. The Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. 32) is **ADOPTED**;
2. Default Judgment is hereby **ENTERED** against Defendant Altamirano pursuant to Federal Rules of Civil Procedure 16(f)(1)(A), 16(f)(1)(C), and 37 (b)(2)(A)(vi) and the Court's inherent authority.
3. If a hearing on damages is necessary, Plaintiff should so advise the Court.

**IT IS SO ORDERED.**



---

SENIOR UNITED STATES DISTRICT JUDGE